

PHILLIP A. TALBERT  
United States Attorney  
KIMBERLY A. SANCHEZ  
Assistant United States Attorney  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
HUGO RAFAEL GAYTAN LOPEZ,  
  
Defendant.

CASE NO. 1:20-CR-00235-JLT-SKO  
  
STIPULATION TO CONTINUE CHANGE OF  
PLEA HEARING; ORDER  
  
COURT: Hon. Jennifer L. Thurston

**STIPULATION**

1. The government, by and through United States Attorney Phillip A. Talbert and Assistant United States Attorney Kimberly A. Sanchez, and the defendant Hugo Rafael Gaytan Lopez, by and through his counsel of record, Early Hawkins, hereby stipulate as follows.

2. The parties have reached a plea agreement in this case.

3. The case is currently set for a change of plea on September 25, 2023.

4. The parties ask that the matter be continued to October 23, 2023, at 10:00 AM.

5. The proposed change of plea date represents the earliest date that all counsel are available, taking into account counsel's schedules, defense counsel's commitments to other clients, and the court's available dates for a change of plea hearing.

a) Counsel for the defendant communicated with the defendant today, September 22, 2023, and the defendant advised her that he was on a health-related quarantine at the facility in

1 which he is housed, and will continue to be so quarantined at least through Monday.

2 b) Based on the above-stated findings, the ends of justice served by continuing the  
3 case as requested outweigh the interest of the public and the defendant in a trial within the  
4 original date prescribed by the Speedy Trial Act.

5 c) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
6 et seq., within which trial must commence, the time period of September 25, 2023, to October  
7 16, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(4) and (7)(A), B(ii)  
8 and (iv) because it results from a continuance granted by the Court at defendant's request on the  
9 basis of the Court's finding that the ends of justice served by taking such action outweigh the  
10 best interest of the public and the defendant in a speedy trial and because the case is so unusual  
11 or so complex, due to the number of defendants, the nature of the prosecution, or the existence of  
12 novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial  
13 proceedings or for the trial itself within the time limits established by this section. Moreover, the  
14 ends of justice served by taking such action outweigh the best interest of the public and the  
15 defendant in a speedy trial.

16 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
17 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
18 must commence.

19 IT IS SO STIPULATED.

20 Dated: September 22, 2023

21 PHILLIP A. TALBERT  
United States Attorney

22  
23 /s/ Kimberly A. Sanchez  
KIMBERLY A. SANCHEZ  
Assistant United States Attorney

24  
25 Dated: September 22, 2023

26 /s/Early Hawkins  
EARLY HAWKINS  
Counsel for Defendant  
27 HUGO RAFAEL GAYTAN LOPEZ  
28

**ORDER**

IT IS SO FOUND.  
IT IS SO ORDERED.

Dated: **September 25, 2023**

  
UNITED STATES DISTRICT JUDGE